

REMARKS/ARGUMENTS

This paper is responsive to the Final Office Action dated July 28, 2005 (“Office Action”).

Claims 1, 3-11, 13-30, 33-37, 39-45, 48-52, and 54-56 were previously pending.

Claims 1, 3-11, 13-30, 33-37, 39-45, 48-52, and 54-56 stand rejected.

Claims 2, 12, 31, 32, 38, 46, 47, and 53 had been previously cancelled.

Claims 1, 11, 24, and 39 have been amended in this paper.

No claims have been added or canceled in this response.

Accordingly, claims 1, 3-11, 13-30, 33-37, 39-45, 48-52, and 54-56 remain pending in the present application.

Rejection of Claims under 35 U.S.C. §102(b)

Claims 1, 3-11, 13-30, 33-37, 39-45, 48-52, and 54-56 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,408,518, issued to Yunoki (“Yunoki”). While not conceding that the cited reference qualifies as prior art, but instead to expedite prosecution, Applicant has chosen to traverse the claim rejections as follows. The following arguments are made without prejudice to Applicant’s right to establish, for example in a continuing application, that the cited reference does not qualify as prior art with respect to a currently or subsequently claimed aspect of the invention.

Applicant respectfully submits that the claims are allowable over the cited art because *Yunoki* does not disclose each limitation of the pending claims. For example, independent claim 1 as amended includes a limitation of extending a persistent invitation to a network station client to join an ongoing conference call. The persistent invitation is extended **after the ongoing conference call has begun**. This limitation, among others, is neither described nor suggested in the cited art.

The timing of the *Yunoki* procedure clearly indicates that the invitations or notifications are *not* made for an ongoing conference call after the ongoing conference call has begun. *Yunoki* details a series of chronological steps in a method for establishing a conference call, starting from col. 5, line 13 and running through col. 9, line 12. The *Yunoki* procedure receives a request from a call originating subscriber to establish an upcoming conference call. *Id.* at col. 5, lines 13-17. Invitees are then notified of the upcoming call. *Id.* at col. 5, line 61—col. 6, line 5. If necessary, the originating subscriber may cancel the conference call. *Id.* at col. 6, lines 10-60. After receiving the initial notification of the conference call, invitees are offered opportunities to confirm (col. 7, lines 1-59) or decline (col. 7, line 60—col. 8, line 41) their participation in the conference call.

Only after these initial procedures does the *Yunoki* procedure initiate a conference call. The timing of the notification in *Yunoki* is before the conference call. “A teleconference participant executes processes . . . for a teleconference absence notification process, a teleconference cancellation process and a teleconference status confirmation process, at any time after the [teleconference notification] process in ST2 and *before* the process in ST6 (a teleconference run process) on request from a controller.” *Id.* at col. 11, lines 30-37 (emphasis added). **Thus, the *Yunoki* notification occurs in advance of the *Yunoki* conference call, rather than after the ongoing conference call has begun.**


The cited art further emphasizes that notifications are provided only in advance of a conference call. After a subscriber in *Yunoki* receives a notification of a conference call, the cited art then offers opportunities for confirming or declining a conference call *in advance* of the conference call. “Each teleconference participant can confirm a teleconference status *before* a teleconference run.” *Id.* at col. 7, lines 1-5 (emphasis added). “An invited teleconference participant *who is to be absent* from a teleconference can make a request to the exchange 1 for sending an absence notice.” *Id.* at col. 7, lines 60-62 (emphasis added). Thus, the opportunities to confirm or decline a conference call occur only in advance of a conference call. Since the notifications discussed in *Yunoki* precede these opportunities to confirm or decline (*id.* at col. 11, lines 30-37), the *Yunoki* notifications also occur only in advance of a conference call.

*Yunoki* therefore does not anticipate claim 1, because the reference does not disclose extending a persistent invitation to a network station client to join an ongoing conference call, where the extending is performed after the ongoing conference call has begun. Accordingly, Applicant submits that independent claim 1 and all claims dependent therefrom are allowable under §102(b). Independent claims 11, 24, and 39 and all claims dependent therefrom are also allowable at least for similar reasons. Accordingly, Applicant respectfully requests that the pending rejections to claims 1, 3-11, 13-30, 33-37, 39-45, 48-52, and 54-56 be withdrawn.


CONCLUSION

In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is respectfully solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5097.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on September 28, 2005.

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Attorney for Applicant                      Date of Signature

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